

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

WP(C).No. 34937 of 2007(H)

PETITIONER:

THE CALICUT CO-OPERATIVE URBAN BANK LTD
NO.1538, REPRESENTED BY ITS GENERAL MANAGER
KALLAI ROAD, KOZHIKODE DISTRICT.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

RESPONDENTS:

1. SMT.DAKSHAYANI AMMA,
PILOTHOTTATHIL HOUSE, KOTTAMPARAMB.P.O.
KOZHIKODE DISTRICT.
2. KERALA STATE FARMER'S DEBT RELIF
COMMISSION, REPRESENTED BY ITS SECRETARY,
OFFICE OF KERALA STATE
KERALA STATE FARMER'S DEBT RELIF COMMISSION
THIRUVANANTHAPURAM.
3. STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.ANU SIVARAM FOR R2 AND R3

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27/11/2007, ALONG WITH W.P.(C) NO.34984/2007 THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C) Nos. 34937/2007-H & 34984/2007-M
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Dated this the 27th day of November, 2007

J U D G M E N T

The petitioner in these matters is a Co-operative Urban Bank. It challenges orders issued by the Kerala State Farmers' Debt Relief Commission, in exercise of power under Act 1 of 2007. The petitioner's complaint is that the beneficiaries of those orders are not entitled to the benefit of Act 1 of 2007. It is open to the petitioner to place its version for consideration before the authority which issued the impugned orders. The impugned are temporary orders and further proceedings under that statute have also to be completed. Those stay orders have been issued imposing conditions. It would be most inappropriate for this Court to entertain writ petitions challenging interlocutory orders passed under a statute which was passed to take care of the grievances of farmers and their plea that they are entitled to certain reliefs in relation to debts. For the aforesaid reasons without prejudice to the right of the petitioner to move the Debt Relief Commission by placing its version, these writ petitions are dismissed.

**THOTTATHIL B.RADHAKRISHNAN,
Judge**

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